

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

NIMROD DIAMANT

Application No.: 09/443,026

Filed: November 18, 1999

For: APPARATUS AND METHOD FOR NETWORKING  
DRIVER PROTOCOL ENHANCEMENT

Group Art Unit: 2739

Assistant Commissioner for Patents

Attention: Box Missing Parts

Washington, D.C. 20231

## RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application mailed December 20, 1999, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 CFR § 1.16(e);
- (3) a copy of the Notice to File Missing Parts of Application

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplication of the Fee Transmittal is enclosed for deposit account charging purposes.

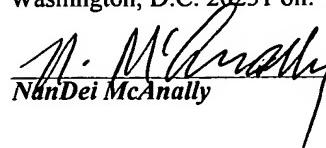
Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN LLP

Dated: February 18, 2000  
Steven D. Yates, Reg. No. 42,242

12400 Wilshire Blvd., 7th Floor  
Los Angeles, California 90025  
Telephone: (503) 684-6200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, D.C. 20231 on: February 18, 2000.

  
NanDei McAnally02/18/00  
Date



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

THT

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/443,026	11/18/99	DIAMANT	N 042390, P7279

026274220  
STEVEN D. YATES  
BLAKELY SOKOLOFF TAYLOR ZAFMAN & CO.  
12400 WILSHIRE BOULEVARD  
7TH FLOOR  
LOS ANGELES CA 90025  
NOT ASSIGNED  
2739  
FEB 23 2000  
DATE MAILED: 12/20/99

NOTICE TO FILE MISSING PARTS OF APPLICATION

*Filing Date Stamped*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a small entity (statement filed)  non-small entity is \$  130.00

1. The statutory basic filing fee is:

missing

insufficient

Applicant must submit \$  to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$  for total claims over 20.

\$  for independent claims over 3.

\$  for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unsigned.

does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

*R. Washington*  
Customer Service Center

RTSEGAYE 0000000 09443026 130.00 0P

Please type a plus sign (+) inside this box

PTO/SB/17 (6/99)  
Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 1999

FEB 23 2000

*Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/9-12.  
See 37 C.F.R §§ 1.27 and 1.28.*

TOTAL AMOUNT OF PAYMENT (\$)

130.00

## Complete if Known

Application Number	09/443,026
Filing Date	November 18, 1999
First Named Inventor	Nimrod Diamant
Examiner Name	Not Yet Assigned
Group/Art Unit	2739
Attorney Docket Number	042390.P7279

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number **02-2666**

Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

Charge Any Additional Fees Required Under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

2.  Payment Enclosed:

Check     Money Order     Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	690	201	345	Utility filing fee	
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	345	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
27	9	27 - 9 =	X 18.00 =	0
			X 78.00 =	

Multiple Dependent

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\*or number previously paid, if greater. For Reissues, see below

### Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203      9      Claims in excess of 20
102	78	202      39      Independent claims in excess of 3
104	260	204      130      Multiple Dependent claim, if not paid
109	78	209      39      **Reissue independent claims over original patent
110	18	210      9      **Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

0.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

130.00

## Complete (if applicable)

Typed or Printed Name	Steven D. Yates	Reg. Number	42,242
Signature		Date	02/18/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Trans express mail no.

**TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

FEB 23 2000

PCT/US00/04352

Total Number of Pages in This Submission

9

Application Number	09/443,026
Filing Date	November 18, 1999
First Named Inventor	Nimrod Diamant
Group Art Unit	2739
Examiner Name	Not Yet Assigned
Attorney Docket Number	042390.P7279

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	From PTO-1533 NTFMP
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

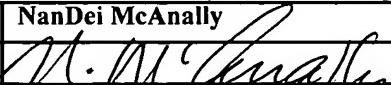
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Steven D. Yates, Reg. No. 42,242 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	February 18, 2000

**CERTIFICATE OF MAILING/TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

February 18, 2000

Typed or printed name	NanDei McAnally		
Signature		Date	02/18/00

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